

**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 62**

[USCG-1999-5036]

RIN 2115-AF14

**Conformance of the Western Rivers Marking System With the United States Aids to Navigation System****AGENCY:** Coast Guard, DOT.**ACTION:** Final Rule; delay of implementation date.

**SUMMARY:** The U.S. Coast Guard is changing the date by which solid-color crossing dayboards in the Western Rivers Marking System (WRMS) will be replaced with checkered non-lateral dayboards used in the United States Aids to Navigation System (USATONS). This change is necessary to allow additional time to test and evaluate a redesigned crossing dayboard with reduced reflectivity. The previous implementation date of June 3, 1999 is changed to July 3, 2001.

**ADDRESSES:** The Coast Guard does not request comments with regard to this publication. However, you may mail comments to the Docket Management Facility, (USCG-1999-5036), U.S. Department of Transportation, room PL-401 Seventh Street, SW., Washington, DC 20590-0001, or deliver them to room PL-401 on the Plaza Level of the Nassif Building at the same address between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366-9329. Any comments will be made available for inspection or copying at room PL-401, located on the Plaza Level of the Nassif Building at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** For information regarding the Western Rivers Marking System or this notice, contact Mr. Dan Andrusiak, U.S. Coast Guard, G-OPN-2, (202) 267-0327. For information regarding the Docket Management Facility, contact Pat Chesley, Coast Guard Dockets Team Leader, or Dorothy Walker, Chief, Documentary Services Division, U.S. Department of Transportation, (202) 366-9330.

**SUPPLEMENTARY INFORMATION:****Regulatory History**

On June 3, 1996, the original implementation date for the replacement of the solid-colored

dayboards on the Western Rivers System was published in the **Federal Register** (61 FR 27780) using the incorrect date, "June 3, 1996." The error was corrected on June 10, 1996 in the **Federal Register** (61 FR 29449) to read, "June 3, 1999."

**Background**

A notice of proposed rulemaking was not published for this rule because this is a rule of agency procedure or practice under 5 U.S.C. 553(A).

After September 3, 1996, the Coast Guard began replacing solid-colored crossing dayboards on the Western Rivers System with diamond-shaped non-lateral dayboards, checkered red-and-white or green-and-white. The Coast Guard began this replacement initiative to unify the various aids to navigation marking system and because mariners can better see the checkered type dayboard than the solid-colored dayboard against the typical river bank background.

Further testing and evaluation of redesigned dayboards is necessary to ensure that their reflectivity is appropriate for the particular location of each individual dayboard. The further testing and evaluation will not result in redesigned dayboards that differ from the requirements of Title 33, Section 62.51 of the Code of Federal Regulations which describes crossing dayboards as diamond shaped non-lateral dayboards, checkered red-and-white or green-and-white. The delayed implementation date is July 30, 2001.

Dated: February 24, 1999.

**Ernest R. Riutta,**

*Rear Admiral, U.S. Coast Guard, Assistant Commandant for Operations.*

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**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 117**

[CGD08-99-006]

RIN 2115-AE47

**Drawbridge Operating Regulation; Bayou Chico, FL****AGENCY:** Coast Guard, DOT.**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing the operating regulation for the State Route 292 bascule span bridge across Bayou Chico, mile 0.3, at Pensacola, Florida. A new State Route 292 fixed bridge has opened and the bascule

bridge is being removed from the waterway. The regulation governing the bascule bridge operation is no longer needed.

**DATES:** This regulation becomes effective on April 1, 1999.

**ADDRESSES:** Documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. Commander (ob) maintains the public docket for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, telephone number 504-589-2965.

**SUPPLEMENTARY INFORMATION:****Background**

A new State Route 292 fixed bridge across Bayou Chico, mile 0.5, at Pensacola, Florida, was opened to traffic on January 26, 1999. The old State Route 292 bascule bridge across Bayou Chico, mile 0.3, is presently being dismantled. Until it is completely dismantled, the draw will be maintained in the open to navigation position. When the drawbridge is removed, in mid April 1999, the operating regulation, § 117.265, will not be needed. This rule removes the regulation.

The Coast Guard has determined that good cause exists under the Administrative Procedure Act (5 U.S.C. 553) to forego notice and comment for this rulemaking because removing the bridge eliminates need for the regulation.

**Regulatory Evaluation**

This final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. It has not been reviewed by the Office of Management and Budget under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.